

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAMIEN DERRELL LINDSEY**

**PLAINTIFF**

**v.**

**CAUSE NO. 1:15CV357-LG-RHW**

**EVAN HUBBARD, ET AL.**

**DEFENDANTS**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
AND DENYING MOTION FOR DEFAULT JUDGMENT**

This cause comes before the Court on the Report and Recommendation of United States Magistrate Judge Robert Walker entered in this cause on June 9, 2016. Magistrate Judge Walker reviewed plaintiff Lindsey's Motion for Default Judgment and the docket in this case, and determined that Lindsey was incorrect in arguing that the defendants' answers to his complaint were untimely. The plaintiff did not object to the Magistrate Judge's conclusion or the recommendation that the Motion for Default Judgment should be denied. After review of this matter, the Court finds that the Report and Recommendation is neither clearly erroneous nor contrary to law. It will therefore be adopted as the opinion of this Court.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Report and Recommendation of United States Magistrate Judge Robert H. Walker entered in this cause on June 9, 2016 [30] should be, and the same hereby is, **ADOPTED** as the finding of this Court.

**IT IS FURTHER ORDERED AND ADJUDGED** that the Motion for

Default Judgment [20] is **DENIED**.

**SO ORDERED AND ADJUDGED** this the 19<sup>th</sup> day of July, 2016.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.  
CHIEF U.S. DISTRICT JUDGE